

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

WENGUI GUO
a/k/a MILES KWOK
781 Fifth Avenue, 18th Floor
New York, New York 10022

Plaintiff,

V.

YELIANG XIA
14735 Pennshire Drive
Haymarket, Virginia 20169

Defendant.

Civil Action No. 1:18-cv-174

**VERIFIED COMPLAINT
FOR INJUNCTIVE RELIEF AND MONEY DAMAGES**

Plaintiff, Wengui Guo, a/k/a Miles Kwok (“Guo”), by counsel, Ward & Berry, PLLC, for his complaint against Defendant Yeliang Xia (“Xia”), states the following:

STATEMENT OF THE CASE

Plaintiff brings this action for the false, misleading, disparaging, defamatory, and physically threatening statements by Defendant regarding Plaintiff and his family members.

1. Plaintiff Guo Wengui, a/k/a Miles Kwok (“Guo”) is a Chinese political dissident living in New York City. Since 2015 Guo has regularly spoken on YouTube and Twitter about Chinese politics and human rights issues.

2. Guo is a pioneer of using YouTube and Twitter to fight for the rule of law, human rights, freedom and democracy in China. Guo has exposed widespread corruption in the Chinese Communist Party (“CCP”), including multiple senior officials of the Chinese Government and their family members.

3. Guo's whistleblower actions have made an unprecedented impact on the international image and credibility of the CCP. Guo's disclosures not only show the ways the Chinese people are tortured under the CCP's kleptocracy but also the current unfavorable environment for the development of democracy and rule of law in China.

4. Guo's Twitter account, @KwokMiles, presently has approximately 491,000 followers. He has the largest number of supporters among all Chinese Twitter users. Guo regularly uses this account to engage with other Chinese dissidents.

5. In the CCP's 70-year rule, Guo is the only one who single-handedly challenged the CCP and exposed the CCP's building of an intelligence network in the United States and other countries.

6. Guo has exposed the degree of China's cultural, political, economic and intelligence penetration in the United States and the West, which has sparked strong reaction in the world. Guo is a true advocate of democracy, freedom and rule of law in China.

7. Defendant Yeliang Xia ("Xia") also holds himself out to the public as a Chinese pro-democracy activist. Xia's Twitter account, @XiaYeliang, has approximately 281,000 followers.

8. As will be discussed herein, Xia uses his Twitter account to publish false, misleading, disparaging, and defamatory statements about Guo to Xia's 281,000 followers, which are then "retweeted" by his followers, compounding and enhancing the harm to Guo and his family.

9. Xia's tweets have led Plaintiff and his family to suffer substantial mental anguish and economic loss. Xia's statements are "retweeted" by his followers tens of thousands of times, compounding the harm to Guo and his family.

10. XIA has also published a number of videos on YouTube and Twitter in which he has published false, misleading, disparaging, and defamatory statements about Guo.

11. Specifically, from in and around August 2017 to the present, via Xia's Twitter account, on YouTube videos published by Xia, and via public comments to third parties, Xia falsely and maliciously accused Guo of, *inter alia*, being among other things, a murder, swindler, kidnapper, rapist, and a "bastard motherfucker" "condemned by heaven and earth", which are then shared by Xia's followers.

12. Xia's actions against Guo enhance the official propaganda and false accusations by the Chinese Communist Party against Guo.

13. Xia did not limit his wrath and venom to Guo alone. On November 19, 2017, Xia tweeted "Wengui promised he would ever be my enemy. The people who did are the nine people including Guo Haoyon and Miles Kwok. **(All of them have sexual relationship with Wengui's wife and several female assistants.)**"(Emphasis added).

14. Xia's false, defamatory, and malicious Twitter posts and YouTube videos, including these (and other) false and malicious statements are nothing more than bald faced efforts to discredit Guo, damage Guo's reputation, and diminish Guo's standing in the Chinese political dissident community.

15. Xia's actions are similar to the alleged use of "unrestricted warfare" by the Chinese Communist Party.

16. Xia's actions have posed serious threats to Guo's mental and physical health, and his business and family relationships.

17. The majority¹ of Xia's threatening, defamatory, and malicious Twitter posts and YouTube videos remain active on social platforms and thus remain available to the public. As such, Xia's defamation of Guo is ongoing.

18. Xia's false, defamatory, and malicious Twitter posts and YouTube videos threaten to destroy Plaintiff's reputation. As a result of Xia's actions, Guo has been and continues to be substantially and irreparably harmed.

19. As a result of Xia's extortion, threatening, defamatory and malicious Twitter posts and YouTube videos, Guo has been and continues to be substantially and irreparably harmed and under intense fear for his personal safety and the potential severe and irremediable harm to his family.

PARTIES AND JURISDICTION

20. Guo is and was at all times relevant hereto an adult resident of New York, New York.

21. Xia is and was at all time relevant hereto an adult resident of Prince William County, Virginia.

22. Jurisdiction is proper pursuant to, *inter alia*, 28 U.S.C. 1332, as there is complete diversity between the parties and the amount in controversy, exclusive of costs and interest, exceeds \$75,000, and Defendant is a resident of Virginia.

23. Venue is proper in the Court pursuant to, *inter alia*, 28 U.S.C. 1391, because a substantial part of the events giving rise to the claims presented herein occurred in the Commonwealth of Virginia, and Defendant is found in this District.

¹Plaintiff has attached as exhibits true and correct copies of Defendant's tweets that are no longer posted on Twitter.

FACTUAL BACKGROUND

Guo's Childhood

24. Plaintiff Guo Wengui grew up very poor in the Northeast of China, where his parents were exiled by the Chinese Communist Party ("CCP") during the Cultural Revolution.

25. Because of his experience in the Cultural Revolution, Guo was opposed to the system of communism and hegemony when he was a boy.

26. Guo, his seven brothers, and his parents lived in harsh, austere, frigid and unjust social and political environment throughout his childhood.

27. Guo's childhood conditions were so severe that, as a child, Guo, would regularly check the communal water well to find his mother when he would lose sight of her to make sure she did not commit suicide by jumping into the well to end the constant suffering.

28. Guo has spoken out about such unjust social behaviors. For example, Guo appealed for a mother living in Chinese poor mountainous area who killed her four sons and then committed suicide due to poverty in his videos for many times. This poor mother committed suicide because her RMB300 (about \$50) poverty alleviation fund was embezzled by local officials.

29. As a teenager, Guo began his life as a businessman. He dropped out of middle school to focus on selling jeans, radios, and other electronics. He used his earnings to help poor people like him and to improve his family's living conditions.

30. Due to the extreme poverty of his family and his precocity, Guo was opposed to traditional feudal marriage and paid more attention to family values.

31. Guo met his wife in 1985 and married her in elopement. They've been lovingly married for 33 years and are still married today. They had a son and a daughter.

32. This is hardly achievable among all the successful entrepreneurs at that time given the economic and political conditions in the several decades after the reform and opening-up of China.

33. At that time Guo and his wife were married, China was in the full control of the CCP and no private business was allowed. As Guo constantly struggled to feed, clothe, and shelter his family, he cherished the poor and the grassroots and understood their life. He became more unsatisfied with the autocratic system and the one-party system of the CCP. Meanwhile, Guo was also one of the entrepreneurs who made his fortune and achieved early success via his own efforts at that time.

34. During the Tiananmen Square Massacre in 1989, Guo was arrested on May 26 and sent to jail for two years because he sold his imported motorbike and donated the vast proceeds of the sale (RMB3,600, about \$500) to the protesting students in different places. When the police knew what Guo did, they arrested him for “commercial fraud” and “illegal operation” and imprisoned him for two years (1989 -1991).

35. During his imprisonment, he was jailed together with many pro-democracy activists and political dissidents, when he began his life against the autocratic regime of the CCP.

36. During the arrest on May 26, 1989, two drunken policemen raided Guo’s office and fired their weapons directly at his young wife, who was holding his three-month-old baby daughter. His younger brother, the 8th brother in his family, tried to protect Guo’s wife and daughter and was shot twice in the altercation.

37. Subsequently, the 8th brother of Guo was sent to hospital but the policemen who shot him instructed the doctors to refuse him any medical care and locked the door.

38. As a result, Guo's brother, only one week to 18 years old at that time, died from exsanguination because of the shots two days later.

39. This incident intensified Guo's disdain towards the autocratic regime and social inequality and the enlightenment that China was in need of democracy, rule of law and freedom.

40. This is also the primary cause for Guo to fight against autocracy for rule of law, democracy and freedom 29 years later.

41. As a result of these tragic events, all of which flowed from his charitable and selfless donation to the Tiananmen Square protesters, Guo vowed to become a persistent and brave advocate against the Chinese kleptocracy.

42. During the two-year imprisonment, Guo made acquaintance with the imprisoned pro-democracy activists, who gave him the education of religion, rule of law and democracy, and planned for having strong financial capability to pay back his parents. He also hoped to become a man of influence in a certain field.

43. According to his plan, after getting good care for his parents and the growing up of his son and daughter, he would start fighting for rule of law, democracy and freedom.

Guo's Family

44. As discussed above, Guo and his wife were married when he was 15 years old and his wife was 14 years old. They remain married today (never divorced) more than 33 years later.

45. Because of the impact of the Cultural Revolution, China does not have a well-established household registration and passport information system.

46. In China, many people would only apply for ID cards or passports after they legally become adults.

47. As such, despite Guo's passport showing a birth year of 1968, he was in fact born in 1970.

48. Guo became a father to a son when he was 16 years old. Guo's son now is a very talented and successful investor.

49. Guo became a father to a daughter when he was 18 years old. Guo's daughter lives with her parents in New York City. She graduated from New York University and is now a talented film director.

50. Guo's daughter worked as the vice-director to Mr. Yimou ZHANG in Mainland China, Mr. Zhang is the director of many internationally acclaimed movies, including Crouching Tiger, Hidden Dragon, which was very well received in the West. Guo's daughter also directed several short films related to public welfare issues.

51. Guo's parents are in their eighties and still live in China. They are regularly threatened, persecuted, and intimidated by the CCP as a result of Guo's whistleblowing and political advocacy.

52. Guo's parents (and, indeed all of Guo's family members who remain in China) are also under the control of the Special Task Force comprising of thousands of members from the police and the central government.

53. Two of Guo's brothers are currently imprisoned in China as a result of Guo's whistleblowing and advocacy.

54. Because of Guo's opposition of the CCP regime, his accusations of corruption against senior CCP officials, and his exposing Chinese intelligence agents hidden in the United States and elsewhere in the West, 18 members of Guo's family, including his brothers and brothers-in-law, his wife and his daughter have been detained by the CCP.

55. Two brothers and a niece of Guo were sentenced to imprisonment of three years, three years and five months and two years and six months respectively.

56. Many of Guo's family members who remained in mainland China have been (and continue to be) detained, tortured, interrogated, and monitored by the special task force comprising several thousands of members from the police, CCDI and the State Security Department.

57. Many of Guo's family members suffer from depression and suicidal tendencies as a result of the CCP's oppression and harassment.

58. Many of Guo's colleagues have disappeared and left no trace.

59. Since his exile, the CCP has seized more than USD17 billion in cash and assets owned by Guo's family and himself.

Guo's business

60. Throughout the 1990s and 2000s, Guo (and his family members) became involved in the real estate business in mainland China.

61. Guo and his family established Henan Yuda in 1991. Henan Yuda is a high-end commercial complex project with investment more than USD300 million. At the time of its construction, the hotel was the most high-class as well as one of the five tallest buildings in China.

62. Guo's credits the success of the Henan Yuda project to Guo's spiritual and cultural growth while he was imprisoned for two years. It was also the result of Guo's strong will to revolutionize China's system and the miracle in commemoration of the death of his younger brother.

63. In 1999, Guo and his family established Pangu Plaza (500,000 square meters) and Zenith Plaza (1.5 million square meters).

64. Beijing Pangu was designed by Guo and noted Taiwanese architect C.Y. Lee.

65. Beijing Pangu is the only privately owned commercial complex in the Beijing Olympic area.

66. Guo and his family invested in this area as early as in 2001. It proves his precise judgment on China's politics and economy, which has brought substantial return and influence for his family.

67. After completing the complex projects of Beijing Pangu and Zenith Plaza with a total area of approximately 2 million square meters, Guo announced the withdrawal of all of his family's real estate investments in disgust at the corruption of the industry in China.

68. Guo and his family started to invest in the Chinese securities and financial sectors. His family also made an acquisition of a listed company of Peking University, namely, Founder Securities Co. Ltd.

69. During Guo's career as a real estate developer, his family never secured a single piece of land from the Chinese authority nor the Chinese Government. Only private land and collectively-owned land were used in their development projects.

70. Because of the incidents in 1989 and 1991, Guo clearly separated himself from the Chinese Government and the state-owned enterprises. It was not easy for him to do so, but it is the reason for the success today.

71. Guo is a man of integrity and honesty, who is always prepared to fight for China's rule of law, democracy and freedom. It is also the fundamental reason why Guo has been subject

to investigation for a long time but he has not been found guilty of any offences since the arrest of Guo's family members and colleagues made by the Special Task Force in 2015.

72. From 2014 to 2015, the Chinese Government formed the Special Task Force consisting of thousands of members from the CCCDI, the Ministry of State Security and the Chinese police.

73. The Special Task Force arrested hundreds of employees who were working in Guo's family enterprises and 18 of Guo's family members.

74. The CCP also imposed controls on the mobility rights of nearly 6,000 of Guo family's employees.

75. The Special Task Force conducted countless investigations of Guo, but were never able to find any evidence of criminal behavior by Guo. This fact was confirmed in meetings Guo had with high ranking Chinese officials of the Ministry of State Security, representing the Central Government, in London and New York.

76. Despite these facts, Guo's financial successes and his political activism and whistleblowing against corrupt CCP officials lead to his prosecution by those corrupt CCP officials.

77. There is little doubt that the Chinese Government is worried about Guo's disclosure of the corruption of its senior leaders. The Chinese Government believes that Guo has criminal or embarrassing evidence related to senior government leaders and is concerned about the enormous impact on the CCP made by Guo's open opposition of the communist system.

78. Therefore, the Chinese Government made a series of attempts to bribe, seduce and hunt down Guo.

79. The Chinese Government also made use of its overseas intelligence network to discredit Guo and pose threats to his personal safety on an unprecedented scale. Xia's actions are consistent with the Chinese Government's actions to discredit Guo.

80. Since the establishment of the People's Republic of China, Guo has become the sole political dissident of China who is the most influential and effective in challenging the Chinese political system and taking actions against corruption of the senior leaders.

Guo's Emergence as a Preeminent Whistleblower and Critic of Corruption

81. Due to special political conditions, the Chinese Government generally controls, supervises and threatens all large enterprises. Guo's family enterprise was also supervised and was believed to be a potential pawn used by the Ministry of State Security of China for international issues.

82. In 2006, Guo's family enterprise was blackmailed by the former Vice Mayor of Beijing, Liu Zhihua. After Guo reported it to the police, he became under control of and befriended Ma Jian, the Vice Minister of State Security at the time.

83. In or about December, 2014, the CCP, through Bruno Wu Zheng (Guo believes Bruno Wu Zheng is a professional spy trained by China), called Guo.

84. Wu requested that Guo cooperate with the CCP by being obedient and stop disclosing information about corruption by senior communist officials.

85. After several failed attempts of bribing, threatening and hunting down of Guo, Bruno Wu Zheng directed the CCDI and the Special Task Force to request Guo to cooperate with China and return the evidence showing the corruption of the senior leaders (including Wang Qishan, Meng Jianzhu and others) they believe Guo possessed.

86. In return, Bruno Wu Zheng promised Guo the following: a. None of Guo's assets or properties will be seized by the CCP; b. All privileges will be returned to Guo and his family; c. Ma Jian will not be arrested; d. Guo's family members will not be arrested; and e. Guo will not be physically threatened or killed. Guo would have to agree to be cooperative and hand out the information to the Communist Party. Guo could not be anti-communist or against the country.

87. Guo refused to accept Bruno Wu Zheng's offer, which led to the persecution of Guo and his family since 2015.

88. As a result, the CCP seized billions of dollars of Guo's family's assets and questioned and arrested 18 of Guo's family members, and arrested or detained hundreds of his colleagues. Over six thousand of Guo's colleagues have been restrained from leaving China.

89. As part of Guo's whistleblower actions, he disclosed the corruption of Hainan Group ("HNA"), which was widely reported by media over the world. The information disclosed by Guo was proven to be true.

90. Guo also disclosed the corruption of Wang Qishan and Meng Jianzhu, two of the most powerful men in China. Again, many of his claims have proven to be true.

91. Guo is recognized as one of the ten most dangerous challengers to Chinese Regime by Chinese Communist Party.

92. Guo's whistleblowing is regarded as the biggest political incident after the Tiananmen Square Massacre.

93. Guo is supported by more than 100 million people in Mainland of China, despite that fact that his words (and statements in support of Guo) are regularly censored by the CCP.

94. Because of Guo's whistleblower actions, China blocked almost all social media platforms to prevent Guo from making any further disclosure and the truth he disclosed from being known in China.

95. Guo is also supported by more than 10 million supporters outside of China. In May 2017, Guo's Twitter account had even over 3.8 billion impressions.

96. In another effort to silence Guo, in May, 2017, the CCP sent Liu Yanping and other 3 agents to New York City to speak with Guo.² At the time, Liu Yanping was Secretary of Commission for Discipline Inspection, Ministry of National Security of China.

97. Guo refused this threat as well, choosing instead to disclose the existence of a broad network of CCP spies in the United States.³

98. The visas of four officials sent by CCP, including Liu Yanping, were cancelled because of their illegal actions in the United States. All of their electronic devices were taken away by US law enforcement agencies at the departure hall of JFK Airport.

99. The CCP took another approach to silence Guo. Via Interpol, the CCP issued 2 "Red Notices." One was issued just a couple of hours before Guo did VOA live interview in the end of April 2017; the second was issued just before Guo's disclosure to Wang Qishan and HNA in September of 2017.⁴ The focus of the second interview was to reveal the corruptive connections between one of the most powerful officials in China, Wang Qishan and his family, and HNA, which involves trillions of renminbi.

² See <https://www.wsj.com/articles/chinas-hunt-for-guo-wengui-a-fugitive-businessman-kicks-off-manhattan-caper-worthy-of-spy-thriller-1508717977>

³ See <http://freebeacon.com/national-security/chinas-spy-network-united-states-includes-25000-intelligence-officers/>.

⁴ See <https://www.washingtontimes.com/news/2017/oct/25/jeff-sessions-guo-wengui-deportation-to-china-woul/>.

100. The intervention of the Chinese Ministry of Foreign Affairs on the VOA interview has become an international media scandal. The CCP ordered the stop of VOA interview by diplomatic means such as visas and other illegal means (the use of its intelligence network) in the US.⁵

101. The CCP also engaged in an unprecedented propaganda campaign against Guo. The CCP formed a team of more than 10,000 people, known as the “50-cent troll army.”

102. Guo’s appearance at Hudson Institute was postponed in short notice in October, 2017 (it was reported that the Institute was threatened by the CCP government).

103. Merely supporting Guo became a crime in mainland China. One of Guo’s supporters, Dong Qi, was reportedly arrested and sent to jail for wearing a T-shirt with Guo’s slogan “Everything is just beginning” on it.⁶⁷ Guo is also informed and believes that millions of Guo’s followers have been questioned, restrained, informed and intimidated.

104. The CCP did not stop there. Guo’s previous immigration law firm, Clark Hill, was hacked by China due to his representation of Guo.⁸

105. Guo’s security company T&M Protection was hacked by China as well, which was unprecedented.

106. The personal mobile of Guo, the phones used by his family members, colleagues and friends were all under hackers’ attack, harassment, threat and abuse.

⁵ See <https://www.wsj.com/articles/chinese-governments-battle-against-fugitive-guo-wengui-spills-into-washington-1507260255>

⁶ See <https://twitter.com/cppc2014/status/952091242350960640>.

⁷ See <https://twitter.com/cppc2014/status/952091242350960640>.

⁸ See <https://www.wsj.com/articles/chinese-governments-battle-against-fugitive-guo-wengui-spills-into-washington-1507260255>

107. The CCP believes Guo has evidence of widespread corruption, murder, hiding of illegally gained money and building of a spy network in the West by high level CCP officials. It will stop at nothing to silence Guo.

108. Therefore, the Chinese government sent Bruno Wu Zheng and other major property developers and entrepreneurs such as Stephen Wayne to bribe, threaten and request the President of the United States to repatriate Guo. To date, the United States government has refused these requests.

109. In or around October, 2017, right before China's 19th National Congress, Guo's Twitter, YouTube and Facebook accounts had been suspended without any reason. This became a major incident in the international social media community.

110. The agents and official representatives sent by the CCP constantly organized protests with the signs of "Guo is a rapist," "Guo is a Liar" and "Get Guo out of America" at Guo's New York apartment to harass and threaten Guo.

111. Meanwhile, many alleged democracy activists initiated personal attacks and intimidation against Guo. In recent months, an anti-Guo campaign, involving the use of unrestricted warfare and smearing, was initiated by the Chinese authority.

112. On information and belief, Xia is one of the activists paid by the Chinese government to destroy, defame, and otherwise oppose Guo.

Xia's Background

113. Defendant Xia holds himself out to the public as a Chinese pro-democracy activist. Xia's Twitter account, @XiaYeliang, has approximately 281,000 followers.

114. Xia suddenly (as will be discussed below) began a concerted campaign to defame and impugn Guo's reputation. This similar to the strategy and techniques utilized by the CCP's "50 Cent Army"⁹.

115. Xia did not stop with criticism, as he also threatened to molest Guo's wife, daughter and personal assistant.

Xia's Campaign of Threats and Defamation¹⁰

116. In an 8/23/17 tweet, Xia wrote:

It's a common sense that the U.S. government will not provide bodyguards for the personal security of any businessman, not to say a foreigner without legal right of stay. He regards the sniper on the roof of the next building as American government's protection for him, which is really shameless and ignorant.¹¹

117. This 8/23/17 tweet is demonstrably false. Guo is not "a foreigner without a legal right of stay."

118. This 8/23/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

119. In an 8/25/17 tweet, Xia wrote:

Wang Yanping is regarded as whole heartedly allegiance to Guo, however she was unexpectedly abandoned. Guo has no humanity but brutal, he treat his wife and children the same way.¹²

120. This 8/25/17 tweet is demonstrably false. Guo did not "abandon" Wang Yanping, is not brutal, and is not without "humanity."

⁹ See <https://www.voanews.com/a/who-is-that-chinese-troll/3540663.html>

¹⁰ This is not an exhaustive listing of all false and defamatory statements made about Guo by Xia. Plaintiff's investigation continues, and Xia continues to make defamatory statements about Guo. Plaintiff will amend his Complaint with additional information as such information is discovered. All tweets referenced herein are translated from Mandarin for the Court's convenience.

¹¹ This tweet was, at some point deleted. Attached as Exhibit A is a true and correct copy of the tweet and translation.

¹² This tweet was, at some point deleted. Attached as Exhibit B is a true and correct copy of the tweet and translation.

121. This 8/25/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

122. In a 9/06/17 tweet, Xia wrote:

In both UK and US, illegal detention and deprivation of personal freedom of communication are obvious criminal acts. Please copy and save this recording. Guo Wengui and Wang Yanping have violated the criminal law. It's impossible for them to stay in either UK or US, unless they stay illegally.¹³

123. This 9/06/17 tweet is demonstrably false. Guo has committed no criminal acts, and is not staying in the US illegally, nor did he ever stay in the UK illegally.

124. This 9/06/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

125. In a 9/07/17 tweet, Xia wrote:

If Guo's political asylum in America is granted, he will kill American people too in the future.¹⁴

126. This 9/07/27 tweet is demonstrably false. Guo will not "kill American people too in the future."

127. This 9/07/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

128. In a 10/05/17 tweet, Xia wrote:

What kind of evil person would he be if a Chinese Communist agent could meet Kim Jong Un in person? This walking dog and flunky of Chinese Communist Party was trusted by the top echelon to fulfill a special mission, yet he still dares to pretend to be a "dissident" and politically persecuted. It is indeed a very bold move/without a shred of conscience. My own analysis is Guo has been bluffing. Kim Jong Un would never have had a meeting with such a low level rascal like Guo.¹⁵

¹³ <https://twitter.com/XiaYeliang/status/905460423209738241>

¹⁴ <https://twitter.com/XiaYeliang/status/905920776452354052>

¹⁵ <https://twitter.com/xiayeliang/status/915967311223324673>

129. This 10/05/17 tweet is demonstrably false. Guo is not a “Chinese Communist agent,” a “walking dog and flunky of the Chinese Communist Party,” or a “low level rascal.”

130. This 10/05/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

131. In another 10/5/17 tweet, Xia wrote:

The Chinese Communists’ agent who could meet Kim Jun Un in person, what kind of an evil person would he be? Being trusted by the top echelon of Chinese Communists to fulfill a special mission, this walking dog and flunky of Chinese Communists pretends to be a “dissident” and being politically persecuted, it is indeed a very bold move/without a shred of conscience. My own analysis is Guo has been bluffing, Kim Jun Un would never have a meeting with a low level rascal.¹⁶

132. This 10/05/17 tweet is demonstrably false. Guo is not a “Chinese Communist agent,” a “walking dog and flunky of the Chinese Communist Party,” or a “low level rascal.”

133. This 10/05/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

134. In a 10/06/17 tweet, Xia wrote:

Miles Kwok (Guo Wengui) is a shameless liar and unscrupulous swindler.¹⁷

135. This 10/06/17 tweet is demonstrably false. Guo is not “a shameless liar and unscrupulous swindler.”

136. This 10/06/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

¹⁶ This tweet was, at some point deleted. Attached as Exhibit C is a true and correct copy of the tweet and translation.

¹⁷ <https://twitter.com/xiayeliang/status/916418533596295168>

137. In a 10/06/17 tweet, Xia wrote:

The documents Guo presented on the spot are full of flaws, obviously forged. Anyone who has worked in the Chinese government can easily identify them. Don't believe this charlatan, man.¹⁸

138. This 10/06/17 tweet is demonstrably false. Guo did not forge any documents and is not a “charlatan.”

139. This 10/06/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

140. In a 10/6/17 tweet, Xia wrote:

Guo Wengui (Miles Kwok, with other 8 English names and more than two Chinese names) is no more than a sheer liar & unscrupulous swindler.¹⁹

141. This 10/06/17 tweet is demonstrably false. Guo is not a “sheer liar & unscrupulous swindler.”

142. This 10/06/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

143. In a 10/12/17 tweet, Xia wrote:

These uneducated followers, lack of capability to think independently, have no other tricks except fabricating lies and foul mouthing. His mafia experience in China taught Swindler Guo how to collude with those in power, how to exact like sharks, how to spread rumours, how to slander, intimidate, track others, beat, kidnap, rape, imprison illegally, fraud, bribe, and threaten, so that he can achieve his goals. He will soon be punished if he continues to use these methods in the western world.²⁰

144. This 10/12/17 tweet is demonstrably false. Guo does not have any “mafia experience,” and is not a violent kidnapping rapist – nor are any of the other slanderous accusations levied on him in the above tweet true.

¹⁸ <https://twitter.com/xiayeliang/status/916418533596295168>

¹⁹ <https://twitter.com/xiayeliang/status/916425135950790658>

²⁰ <https://twitter.com/xiayeliang/status/918585659987841024>

145. This 10/12/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

146. In a 10/12/17 tweet, Xia wrote:

It's an insult to human rights/rule of law/justice/democracy if Guo Wengui is packaged and promoted as a "political dissident." It is an insult to those dissidents against communism, who paid dearly and sometimes with their lives. Those who are helping Guo with his political asylum application can be suspected guilty of forging evidence and aiding criminal offences.²¹

147. This 10/12/17 tweet is demonstrably false. Guo has committed no criminal offenses and has not forged any evidence.

148. This 10/12/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

149. In another (similar) 10/12/17 tweet, Xia wrote:

It's an insult to human rights/rule of law/justice/democracy if Guo Wengui is promoted as a "political dissident," it is an insult to those anti-Communist dissidents who paid dearly and sometimes with their lives. Those who are helping Guo with his political asylum application are also suspects of evidence forgery and being criminal accomplices.²²

150. This 10/12/17 tweet is demonstrably false. Guo has committed no criminal offenses and has not forged any evidence.

151. This 10/12/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

152. In a 10/27/17 tweet, Xia wrote:

Guo Wengui set himself an example by taking part. He claimed he slept with Li You's mistress, and committed adultery with married woman Wang Yanping, and bullied and seized other people's corporate assets. It's countless.....²³

²¹ <https://twitter.com/XiaYeliang/status/918280226160902145>

²² This tweet was, at some point deleted. Attached as Exhibit D is a true and correct copy of the tweet and translation.

²³ <https://twitter.com/xiayeliang/status/923748808600838144>

153. This 10/27/17 tweet is demonstrably false. Guo never claimed he slept with Li You's mistress, he never committed adultery with Wang Yanping, and he never "bullied and seized other people's corporate assets."

154. This 10/27/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

155. In an 11/04/17 tweet, under a video titled "American senator Rubio questioned Facebook about banning Guo Wengui's account.", Xia wrote:

The Chinese subtitles in this video do not match the original English. The English dialogue does not mention the name of Guo Wengui even once. If your English level is poor, please do not cheat your tweet followers who don't understand English!²⁴

156. This 11/04/17 tweet is demonstrably false. Guo never "cheated" his "tweet followers."

157. This 11/04/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

158. In an 11/16/17 tweet, Xia wrote:

Guo is full of lies. His apartment is clearly bought at over sixty million dollars but he insisted that he paid more than eighty million. It is total bullshit that some call him the only Chinese that dared to challenge the government. That is truly ignorant and shameless!²⁵

159. This 11/16/17 tweet is demonstrably false. Guo is not "full of lies" and he did not lie about the value of his apartment.

160. This 11/16/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

²⁴ <https://twitter.com/xiayeliang/status/927035356318523392>

²⁵ <https://twitter.com/xiayeliang/status/931152442934341633>

161. In an 11/19/17 tweet, Xia wrote:

You are too naive. Wengui promised he would never be my enemy. The people who did are the nine people including Guo Haoyun and Miles Kwok. (All of them have sexual relationship with Wengui's wife and several female assistants.)²⁶

162. This 11/19/17 tweet is demonstrably false. Guo has never had "sexual relationship" with "several" of his "female assistants."

163. This 11/19/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

164. In an 11/22/17 tweet, Xia wrote:

Guo Wengui has been the devil's abettor. Now a few more people are willing to become Guo Wengui's abettor for money. How can they proclaim without any shame that they are against the Communists, Xi and the autocratic regime?²⁷

165. This 11/22/17 tweet is demonstrably false. Guo is not "the devil's abettor."

166. This 11/22/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

167. In an 11/22/17 tweet, Xia wrote:

Guo Wengui has been the devil's assistant, now a few people are willing to become his assistants for money, how can they say they are against the Communists, Xi and the dictatorship?²⁸

168. This 11/22/17 tweet is demonstrably false. Guo is not "the devil's assistant."

169. This 11/22/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

²⁶ <https://twitter.com/XiaYeliang/status/932308150270791683>

²⁷ <https://twitter.com/XiaYeliang/status/933160725425430529>

²⁸ This tweet was, at some point deleted. Attached as Exhibit E is a true and correct copy of the tweet and translation.

170. In an 11/26/17 tweet, Xia wrote:

You should ask the rapist Guo Wengui why he changed his rumours about me from raping Peking University student girl to molesting? Swindler Guo is slandering others despite that he himself has been raping female employees for years. He spread rumours that I have eight houses in America without evidence and refused to apologise or compensate. I have no criminal record or scandal in my sixty years of life, but you are willing to believe such a crook full of lies. That shows how low your IQ and moral standards are!²⁹

171. This 11/26/17 tweet is demonstrably false. Guo is not a rapist, is not a swindler, and has never raped his female employees.

172. This 11/26/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

173. In an 11/28/17 tweet, Xia wrote:

The rabble was hoping Rapist Guo would knock down the corrupted officials for them. Have they now achieved their goals? Did any Chinese Communist Party official get placed under investigation because of Guo's eight months' of exposé?³⁰

174. This 11/28/17 tweet is demonstrably false. Guo is not a rapist.

175. This 11/28/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

176. In a 12/14/17 Youtube Video, Xia stated:

People have been saying to you, "Give us more new evidence", and you always reply, "Please wait, please wait." What are you waiting for? You just keep putting it off. The original one year period has now become three years, and you are still putting it off. When will the put-off end? You said you had a lot of "nuclear grade" materials. Have you ever presented any of them? Therefore Guo Wengui, as a rapist who has been molesting people over many years and on many occasions, I believe, he will inevitably be punished by law.³¹

²⁹ <https://twitter.com/XiaYeliang/status/934856207952678912>

³⁰ <https://twitter.com/xiayeliang/status/935357190193471488>

³¹ <https://www.youtube.com/watch?v=t5zYfNlorzQ>

177. Xia's statements in the 12/14/17 Youtube Video are demonstrably false. Guo is not a rapist and has not "been molesting people over many years and on many occasions."

178. Xia's statements in the 12/14/17 Youtube Video are false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

179. In a 12/14/17 tweet, Xia wrote:

Let Rapist Guo release his videos immediately! If the videos are not produced yet, just send Guo's wife/daughter/PA to me, and I will do my very best to make a molestation video that will satisfy Guo.³²

180. This 12/14/17 tweet is demonstrably false. Guo is not a rapist.

181. This 12/14/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

182. In a 12/24/17 tweet, Xia wrote:

Guo Wengui is such a low and vulgar embryo and he spins lies with reference to his own evil experience and imagination. Only people with zero IQ will believe such clumsy and inferior lies!³³

183. This 12/24/17 tweet is demonstrably false. Guo is not a "low and vulgar embryo" who "spins lies."

184. This 12/24/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

185. In a 12/30/17 tweet, Xia wrote:

This recorded audio clip proves that Guo Wengui and Wang Yanping conspire to imprison an employee and deprive her freedom of communication and privacy. Incredibly these crimes against civilization and humanity happened in US and UK.³⁴

³² <https://twitter.com/xiayeliang/status/941053708426719232>

³³ <https://twitter.com/xiayeliang/status/944921922944618497>

³⁴ <https://twitter.com/xiayeliang/status/947104608161292288>

186. This 12/24/17 tweet is demonstrably false. Guo did not conspire with Wang Yanping to imprison an employee and deprive her freedom of communication and privacy, nor did he commit “crimes against civilization and humanity.”

187. This 12/24/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

188. In a 12/30/17 tweet, Xia wrote:

The only thing you can learn from Fraudster Guo is the latest version of “Thick Face Black Heart” in 21st Century. Anyone who regards Guo as his teacher or model of life is either completely muddle-headed or thoroughly crafty.³⁵

If Fraudster Guo had a minimum amount of integrity or any sense of shame, he would not have told so many lies and broken so many promises. How could he possibly jump off a high building? Such a seasoned swindler like him will only die violently.³⁶

189. This 12/30/17 tweet is demonstrably false. Guo is not a fraudster (or seasoned swindler) who tells lies and breaks promises.

190. This 12/30/17 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

191. In a 1/01/18 tweet, Xia wrote:

I don’t think I need to say anything after I saw so many comments below this tweet. Congratulations to Guo Wengui for being voted as the biggest con man in the world! Many thanks to the professional service and shameless devotion of Fraudster Guo’s packaging /promotion / marketing / rumor-mongering / slandering / swindling / lobbying /thugs/ internet trolls team!³⁷

192. This 1/01/18 tweet is demonstrably false. Guo was never “voted as the biggest con man in the world” and is not a fraudster.

³⁵ <https://twitter.com/xiayeliang/status/946836018975727617>

³⁶ <https://twitter.com/xiayeliang/status/946834148685221888>

³⁷ <https://twitter.com/xiayeliang/status/947533398716878848>

193. This 1/01/18 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

194. In a 1/04/18 tweet Xia wrote,

If you have worked in the government and have frequently drafted documents, you won't fail to spot the sham. Guo's team is incompetent in their forgery because no decent people will help him. If there are obvious misspellings and wrong expressions in a government document, many people will be implicated.³⁸

195. This 1/04/18 tweet is demonstrably false. Guo did not forge any government documents.

196. This 1/04/18 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

197. In a 2/02/18 tweet, Xia tweeted:

"Fraudster Guo's rags-to-riches story is a vivid life history of an abettor to kleptocrats. All the criminal allegations Guo made against others are based on his own criminal practices and inner experience. Meanwhile he unconsciously exaggerates and fantasizes until he achieves his mental orgasm in his imaginary sadistic crimes. This compulsion and psychological projection reflects his fluky mind/pleasant sensation and wild conceit."³⁹

198. This 2/02/18 tweet is demonstrably false. Guo is not a "fraudster" or an "abettor to kleptocrats." Nor is Guo a criminal.

199. This 2/02/18 tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

200. In another tweet on 2/02/18, Xia wrote:

"I personally won't believe even 1% of Fraudster Guo's words. Guo is a living specimen who let loose his tongue with baseless stories/who dares to proclaim a deer as horse. Who know for sure his real name/birth date/legitimate wife/tax record/criminal record? Guo breaks his promises / he eats his own words/ he is

³⁸ See <https://twitter.com/xiayeliang/status/948762439914610688>

³⁹ See <https://twitter.com/xiayeliang/status/959181785367269376>

deserted by the public and his followers/ he is up to his neck in his crimes. All those who underwrite for Guo will bring disgrace on themselves!”⁴⁰

201. This 2/02/18 tweet is demonstrably false. Guo is not a fraudster or a liar and not up to his neck in crimes.

202. The foregoing tweet is false, was made with constitutional malice and/or with knowledge of its falsity, and Guo’s reputation has been harmed as a result.

203. All of the above referenced statements by Xia, on Twitter and YouTube, are false and made with the purpose of destroying Guo’s personal and professional reputation.

204. The above referenced defamatory tweets and videos have harmed Guo. On information and belief, tens (if not hundreds) of thousands of people have viewed these videos and tweets and thus have been misled about Guo and been given a falsely unfavorable view of Guo.

205. Xia has also made a number of tweets in which he threatens (and says sexually offensive things about) Guo’s wife, Guo’s daughter and Guo’s female employees.⁴¹

206. Xia published the above referenced defamatory statements with the purpose of harming Guo’s reputation, both within the Chinese activist community and in society at large and causing Guo (and his family and employees) severe emotional distress and fear for their safety.

**FIRST CLAIM FOR RELIEF
(COMMON LAW DEFAMATION)**

207. The allegations contained in paragraphs 1 through 206 are incorporated by reference as if fully set forth herein.

⁴⁰ See, <https://twitter.com/xiayeliang/status/959175929066029056>

⁴¹ See, e.g., <https://twitter.com/xiayeliang/status/941053708426719232>

208. Defendant published the above-listed false, malicious, defamatory, and materially misleading statements regarding Plaintiff on Twitter and YouTube – both public forums.

209. On information and belief, Defendant knew of the falsity of these statements at the time he made them or was reckless and indifferent as to the falsity of these statements.

210. On information and belief, Defendant made these knowingly false statements with actual malice, hatred, and personal animosity towards Plaintiff.

211. Defendant's false statements constitute common law libel, slander, and defamation against Plaintiff, entitling Plaintiff to exemplary damages.

**SECOND CLAIM FOR RELIEF
(DEFAMATION PER SE)**

212. The allegations contained in paragraphs 1 through 211 are incorporated by reference as if fully set forth herein.

213. Defendant's false statements that, *inter alia*, Plaintiff is a swindler, liar, criminal, adulterer, rapist, forger, and charlatan who commits crimes against civilization and humanity are statements that charge Plaintiff with indirect dealings or incapacity and thereby tend to injure Plaintiff in his trade, profession or business.

214. Defendant's statements enumerated herein are false and were false at the time they were made.

215. On information and belief, Defendant knew of the falsity of his statements at the time they were made or was reckless and indifferent as to the falsity of these statements at the time he made them.

216. On information and belief, Defendant made these knowingly false statements with actual malice, hatred, and personal animosity towards Plaintiff, with the intention of damaging Plaintiff's reputation.

217. The injurious character of Defendant's false statements is a self-evident fact of common knowledge which need not be pleaded or proved.

218. As such, Defendant's false statements are actionable without proof of special damage.

**THIRD CLAIM FOR RELIEF
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)**

219. The allegations contained in paragraphs 1 through 218 are incorporated by reference as if fully set forth herein.

220. Defendant's 12/14/17 statement "Let Rapist Guo release his videos immediately! If the videos are not produced yet, just send Guo's wife/daughter/PA to me, and I will do my very best to make a molestation video that will satisfy Guo" was made intentionally with a desire to harm Plaintiff.

221. Defendant's statement that he will molest Guo's wife, daughter, and personal assistant were also made intentionally and with a desire to harm Plaintiff.

222. Defendant's making these statements, both the statements themselves and the manner by which Defendant broadly disseminated these statements, to likely tens of thousands of people, was extreme and outrageous.

223. As a result of Defendant's past and continuing wrongful acts, including those enumerated herein, Plaintiff has suffered severe emotional distress.

224. While all of the false statements made by Plaintiff are outrageous, most galling of the false statements are those that attack Plaintiff's family.

225. Defendant's false statements about Plaintiff's family have caused severe injury to Plaintiff's family relationships that are incapable of healing themselves.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment in his favor and against Defendant as follows:

- (a) For an injunction enjoining Defendants and their respective agents, servants, employees, officers, and assigns, and all other persons in active concern or participation with him or her from further publication of any false, malicious, defamatory or materially misleading comments regarding Plaintiff;
- (b) For the issuance of a public apology and retraction of all the statements regarding Guo on social media by Xia.
- (c) For an award of money damages in accordance with the evidence, but not less than FIVE MILLION DOLLARS (\$5,000,000), together with interest thereon for damage to Plaintiff's personal and business reputations;
- (d) For an award of punitive damages sufficient to punish and deter the conduct complained of herein;
- (e) For attorneys' fees and costs of suit herein;
- (f) For a retraction of the false, malicious, defamatory, and materially misleading statements complained of herein; and
- (g) For such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury.

Respectfully submitted,

February 14, 2018



Daniel S. Ward, VA Bar #45978

Ryan C. Berry, VA Bar # 67956

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VERIFICATION

I, Wengui Guo a/k/a Miles Kwok, am the individual Plaintiff in this matter. I have read the foregoing Verified Complaint For Injunctive Relief and Money Damages and know the contents thereof. The same are true to my own knowledge, except as to matters that are therein stated to be alleged upon information and belief, and that as to those matters I believe them to be true.

February 14, 2018


Wengui Guo a/k/a Miles Kwok

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

On the 14th day of February 2018, before me, the undersigned, personally appeared Wengui Guo a/k/a Miles Kwok,* personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

* a/k/a Ho Wan Kwok


Notary Public

Printed Name: Imrije Zylfijaj

My Commission Expires:

March 18, 2021

IMRIJE ZYLFIJAJ
Notary Public, State of New York
No. 01ZY6278093
Qualified in Richmond County
Commission Expires March 18, 2021